

DECEMBER 1, 2005  
COUNCIL MINUTES

**City Council Minutes**

The Round Rock City Council met in Regular Session on Thursday, December 1, 2005 in the City Council Chamber, 221 E. Main Street.

CALL REGULAR SESSION TO ORDER – 7:00 P.M.

Mayor Maxwell called the session to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE:

Mayor Maxwell led the Pledge of Allegiance.

ROLL CALL: Those members present were Mayor Nyle Maxwell, Mayor Pro-tem Alan McGraw, Councilmember Rufus Honeycutt, Councilmember Joe Clifford, Councilmember Carlos T. Salinas, and Councilmember Scott Rhode. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

CITIZENS COMMUNICATIONS: None

Mayor Maxwell dispensed with the order of the agenda with the unanimous consent of all the Councilmembers present and addressed the following items.

EXECUTIVE SESSION:

11.A. Executive Session as authorized by §551.072 Government Code, related to the settlement agreement with Martin and Pamela Cirkel for the purchase of right-of-way for the A.W. Grimes Boulevard Project. The Council recessed to the Executive Chamber for the Executive Session. Mayor Maxwell called the Executive Session to order at 7:03 p.m. and adjourned back into Regular Session at 7:20 p.m.

9.B.1. Consider a resolution authorizing the Mayor to execute settlement documents with Martin and Pamela Cirkel for the purchase of right-of-way for the A.W. Grimes Boulevard Project. Steve Sheets, City Attorney made the staff presentation to the Council during the Executive Session.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City Council, upon consideration of the matter, has determined that there exists a public necessity for the welfare of the City of Round Rock and the public-at-large to

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construct and maintain improvements to A.W. Grimes Boulevard, and to perform associated public purposes ("Project"); and

WHEREAS, the City of Round Rock, has a need to acquire approximately 1.20 acres of land in Williamson County, Texas, in fee simple, to enable the City to complete the Project; and

WHEREAS, a suit to condemn this property is currently pending in the County Court at Law No. 2 in Williamson County under cause number 04-0521-CC2 and styled the City of Round Rock, Texas v. Martin Cirkiel, Pamela Cirkiel, and Union State Bank Condemnees; and

WHEREAS, pursuant to a special commissioners' award, the amount of \$300,000 was paid to the landowner or deposited in the registry of the Court to allow the City to take possession of the property as litigation continued; Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the additional amount of \$55,000.00 for a total compensation of \$355,000.00 is a fair and equitable amount for the settlement of this condemnation case, and

That the Mayor and/or the city attorney shall be authorized to execute, on behalf of the City of Round Rock the necessary documents to effectuate the settlement of this condemnation case for this amount.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1st day of December 2005.

MOTION: Mayor Pro-tem McGraw moved to disapprove the resolution. Councilmember Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt

Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Salinas

Councilmember Rhode

Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

9.F.4. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with HDR Engineering, Inc. for the Preliminary Engineering Report for the Cedar Park/Round Rock/LCRA Regional Water System Improvements. Tom Clark, Director of Utilities made the staff presentation. The Lake Travis Raw Water Supply System study, completed, in September 2005, recommended that the most cost effective alternative to the City for accessing

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Lake Travis water was to develop a partnership with the City of Cedar Park and / or LCRA to develop a regional treatment and delivery system. In order for the partnership to develop a long term contract, a Preliminary Engineering Report is needed to identify the routing, pipe sizes, capacity, probable costs, cost sharing of various components and phasing the project to meet each City's requirements. This contract is for a Preliminary Engineering Report on required capacities, regional Water Treatment Plant (WTP) Site Analysis, Raw Water Pump Station Analysis, WTP Configuration, Raw and Treated Water Line Sizing, Project Phasing and Probable Costs for Round Rock, Cedar Park and LCRA in the regional treatment system. Engineering fees will be paid on a percentage of capacity needed by each customer in the improvements. Total cost of the report will be \$132,500.00 with Round Rock's share totaling \$57,637.50 The City of Round Rock's percentage is 43.50%, based on an ultimate capacity in the system of 41 MGD.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock desires to retain engineering services for the Preliminary Engineering Report for the Cedar Park/Round Rock/LCRA Regional Water System Improvements, and

WHEREAS, HDR Engineering, Inc. has submitted a Contract for Engineering Services to provide said services, and

WHEREAS, the City Council desires to enter into said contract with HDR Engineering, Inc.,  
Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Contract for Engineering Services with HDR Engineering, Inc. for the Preliminary Engineering Report for the Cedar Park/Round Rock/LCRA Regional Water System Improvements, a copy of said contract being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1st day of December 2005.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Salinas seconded the motion.

VOTE:            Ayes:            Councilmember Honeycutt  
                                 Mayor Pro-tem McGraw  
                                 Councilmember Clifford

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Councilmember Salinas

Councilmember Rhode

Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

9.F.5. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement Regarding the Design of New Hope Regional Waterline with the City of Cedar Park and the Lower Colorado River Authority. Tom Clark, Director of Utilities made the staff presentation. The Lake Travis Raw Water Supply System study, completed, in September 2005, recommended that the most cost effective alternative to the City for accessing Lake Travis water was to develop a partnership with the City of Cedar Park and / or LCRA to develop a regional treatment and delivery system. The proposed treated water pipeline route will follow New Hope Road in Cedar Park which is scheduled for construction to be completed March 2007. In order for the City of Round Rock to take advantage of the cost savings available by installing this relatively short portion of the regional delivery system, being 11,000 linear feet of a 72-inch water line, Cedar Park needs a commitment to partnership on the design cost associated with this segment of the regional delivery system. This agreement is for Engineering Design Services of a 72-inch Potable Water Line, being approximately 11,000 linear feet in length to be installed with the Cedar Park New Hope Road Improvements right of way, from Bagdad Road to 183A. In doing so the City can take advantage of the fact that Cedar Park has already acquired right-of-way and temporary work easements. Round Rock's share of the engineering fees will be 49.76% of the total cost based on the City's ultimate capacity in the system of 40.8 Million Gallons per Day. The total cost of these engineering services will be \$350,000.00 with Round Rock's share totaling \$174,160.00. This resolution is contingent upon the Lower Colorado River Authority's Board adopting a similar Resolution at its December Board meeting.

RESOLUTION NO. \_\_\_\_\_

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WHEREAS, Chapter 791 of the Texas Government Code, V.T.C.A., authorizes local governments and agencies of the state to enter into agreements with one another to perform governmental functions and services, and

WHEREAS, the City of Round Rock wishes to enter into an Interlocal Agreement Regarding Design of New Hope Regional Waterline with the City of Cedar Park and the Lower Colorado River Authority, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That subject to approval of the Agreement by the Lower Colorado River Authority the Mayor is hereby authorized and directed to execute on behalf of the City an Interlocal Agreement Regarding Design of New Hope Regional Waterline with the City of Cedar Park and the Lower Colorado River Authority, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1st day of December 2005.

MOTION: Councilmember Clifford moved to approve the resolution. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Mayor Maxwell
	Nays:	None

ACTION: The motion carried unanimously.

PRESENTATIONS:

5.A.1. Consider a presentation recognizing Round Rock for being ranked as one of America's safest cities by Morgan Quitno Press. Will Hampton, Communications Director and Bryan Williams, Chief of Police made the staff presentation. The City of Round Rock ranked as the 8<sup>th</sup> safest city in the United States, according to a survey of crime rate statistics released by Morgan Quitno Press on November 21. No other Texas City ranked in the top 25. The survey used crime data reported to the FBI by cities with a population of 75,000 and more. The survey used

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rates for murder, rape, robbery, aggravated assault, burglary and motor vehicle theft for its rankings. All cities of 75,000 population or more that reported data to the FBI in 2004 for the six categories of crime measured for the survey were included.

Chief Williams added that this award is a City of Round Rock award and not a Police Department award because it is a community wide effort.

From this point on, Mayor Pro-tem McGraw chaired the meeting so Mayor Maxwell could attend another commitment.

5.B.1. Consider a presentation on the Transportation Capital Improvement Program (TCIP) quarterly report. Tom Martin, Director of Transportation Services made the staff presentation. The TCIP is a three-year spending plan for improvements to major roads and arterials in the City. Funding for this plan is provided through the ½-cent sales tax established for the purpose of transportation improvements. Mr. Martin outlined the following information.

Board Actions

- Economic Development Agreement
  - Authorized President to Execute First Amendment on August 25, 2005
- State Infrastructure Bank Loan Agreement
  - Authorized President to Execute Agreement on August 25, 2005
- FY 2005-06 Operating Budget
  - Board approved budget on December 1, 2005
- Future Actions
  - Consider Board Approved Amendments
  - Consider Presentation on the Annual Report

Project Status

- Bid Opening
  - US 79 Gap (TxDOT Project)
  - Oakmont Drive/Teravista Parkway (Simon/Chelsea)
- Kiphen Road-Notice of Award
- Traffic Signals
  - Under Construction
    - RM 620 at Round Rock Hospital
    - Old Settlers Blvd. And Sunrise

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- Gattis School Road and Meister Lane
- Gattis School Road and Double Creek Drive
- Under Construction
  - Red Bud Lane Phase I
  - Red Bud Lane Phase II
  - AW Grimes Phase II
  - IH 35 Area Improvements
- Substantially Complete
  - Double Creek Drive Phase II
  - Forest Creek Drive
  - FM1460 (TxDOT Project)

PUBLIC HEARINGS:

6.A.1. Consider public testimony regarding an application filed by The Fellowship Church at Forest Creek to adopt original zoning of District PF-1 (Public Facilities - Low Intensity) on 5.2993 acres of land. Jim Stendebach, Planning Director made the staff presentation. The tract is part of the Westview Addition subdivision. The developer requested PF-1 (Public Facility – Low Intensity Use) Zoning District for the 5.2993-acre tract located at the southwest corner of Gattis School Road and Westview Drive. This district allows for a Place of Worship structure along with accessory uses not to exceed 10,000 square feet. The tract is allowed up to 10,000 square feet of accessory use due to the fact that the tract fronts on and has direct access to a collector street. There are no plans at this time to expand the existing buildings. The zoning request is in accordance with the General Plan and is consistent with City land use policies.

Mayor Pro-tem McGraw opened the public hearing. There being no public testimony the public hearing was closed.

6.A.2. Consider public testimony regarding proposed amendments to the General Plan to modify the Future Land Use Map with regard to the area north of Old Settlers Boulevard, west of FM 1460, south of the City of Round Rock's extraterritorial jurisdiction boundary, and east of IH-35. Shannon Burk, Senior Planner made the staff presentation. Staff began a four-phase study of northeast Round Rock. The primary focus of this study (called the Northeast Plan) is to examine the Future Land Use Map adopted with the General Plan 2000. The first phase primarily

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concerns the property along the IH-35 frontage road. Phase 2 covers the area east of Phase 1 as far as FM 1460. Phase 1 accounted for the developments along the interstate by changing the future land use designation along the frontage road from industrial and business park to commercial. Staff recommended significant changes to the Future Land Use Map in Phase 2. The most notable change is the addition of a new land use category for public facilities. This new designation includes uses such as school, hospitals and churches. With the new Higher Education Center, the new Police Station, and two hospitals, this new designation allows the Future Land Use Map to provide a more realistic picture of what to expect in northeast Round Rock. The other major change with Phase 2 was to shift to more Mixed Land Use designations. This designation allows for greater flexibility in how the land can be zoned, whether it be for residential, office or commercial uses. The extensive use of this designation in Phase 2 seems appropriate given the existing zoning and proposed uses in these areas, particularly the higher density development envisioned for the Avery property. The straight commercial designation was also expanded in Phase 2, particularly along the western end of Chandler Road. This expansion is in response to market changes resulting from the recent developments along the interstate. Public input was solicited through a mailing to all property owners in Phase 2 except for the single-family residents for the changes recommended for Phase 2. On November 2, 2005, the Planning and Zoning Commission unanimously rendered a favorable recommendation to amend the Future Land Use Map of the General Plan as proposed in Phase 2 of the Northeast Plan.

Mayor Pro-tem McGraw opened the public hearing. There being no testimony the public hearing was closed.

6.A.3. Consider public testimony regarding proposed amendments to Chapter 11, Zoning, of the Round Rock Code of Ordinances to add a C-1a (General Commercial-Limited) District.

Shannon Burke, Senior Planner made the staff presentation. The proposed C-1a (General Commercial – Limited) zoning district is an attempt to provide greater flexibility in assigning



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commercial zoning. Currently, the City only has two commercial zoning districts: C-1 (General Commercial) and C-2 (Local Commercial). C-1 zoning is generally limited to the intersection of two arterial roadways. This type of commercial zoning is permissive and allows for commercial development with a regional market. C-2 is intended for a much smaller market, typically just nearby neighborhoods, and is therefore permitted on smaller roadways closer to residential property. Because of this close proximity, C-2 zoning includes very restrictive use and design standards to ensure compatibility between the commercial development and the adjacent residences. While the clear distinction between these two commercial zoning districts has been helpful in determining the appropriate location for C-1 and C-2 zoning, it has also made it difficult to site commercial developments that are less intense than C-1 but more intense than C-2. In order to remedy this problem, staff recommended the adoption of a new limited commercial zoning district, C-1a (General Commercial – Limited). The Planning and Zoning Commission unanimously recommended approval of the new zoning district at its November 2, 2005, meeting.

Mayor Pro-tem McGraw opened the public hearing. There being no testimony the public hearing was closed.

6.A.4. Consider public testimony regarding an application filed by R.R.E. Investors, L.P. to adopt original zoning of District PUD (Planned Unit Development) No. 66 on 3.165 acres of land, more or less, described as Lot 1, Block A, Section 1, Round Rock Express Subdivision. Shannon Burke, Senior Planner made the staff presentation. This tract is located just southwest of the Dell Diamond on Highway 79. The applicant requested PUD zoning to accommodate limited commercial uses. The property was annexed in 1999 but was never “officially” zoned. The proposed PUD property is divided into two development parcels. Parcel 1, on the west side of the property, is expected to be developed first and is currently a vacant lot with several large oak trees. Parcel 2 is currently a parking lot for the Dell Diamond. Both parcels have a limited list of permitted commercial uses that are intended to complement the existing Dell Diamond facility such as a restaurant or sports related retail. An alternative plan also includes improvements to

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the adjacent parking lot to the west of the site owned by the City. One other provision the PUD makes for Parcel 1 is the reduction of the rear setback from 5 feet to 2 feet. This adjustment was made to allow greater flexibility in the location of structures on the site with the least amount of interference with the existing trees. Staff had no concerns with the reduction in the setback since the north boundary of the parcel abuts a driveway connecting Harrell Parkway to the Dell Diamond parking lot (as opposed to abutting developable property). In addition to the restrictions on uses, Parcel 1 has a number of development standards that differ from the commercial regulations of the Zoning Ordinance, including:

- additional provisions for the exterior of the building
- a requirement for monument signs only
- an alternative landscape plan
- a slight reduction in the setback on the north side of the property, and
- a requirement that utilities be underground

These regulations are included in the PUD primarily to account for the existing trees and also to provide an appearance appropriate for the entrance to Old Settlers Park. The other parcel to the east, Parcel 2, does not contain additional development standards besides the limitations on uses. This parcel is currently utilized for overflow parking for the Dell Diamond. When the property owner decides how best to develop the property, it will be required to meet all of the regular standards of the Code. Although there is some uncertainty as to the end users for these parcels, the proposed PUD provides the City with assurances that the "front door" to the Dell Diamond will retain an attractive appearance with the existing trees and will not be cluttered with inappropriate uses. Staff recommended approval of the PUD Zoning. The Planning and Zoning Commission unanimously recommended approval of the proposed zoning change at its November 2, 2005, meeting.

Mayor Pro-tem McGraw opened the public hearing.

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Jim Nias, 100 Congress Avenue, Suite 1100, Austin representing Rick Vaughn expressed Mr. Vaughn's concern regarding the impact of this area if more development occurred.

There being no further testimony the public hearing was closed.

6.A.5. Consider public testimony regarding an application filed by the Julian Marie Roy Trust to rezone 9.09 acres of land, more or less, from District LI (Light Industrial) to District C-1a (General Commercial-Limited) Jim Stendebach, Planning Director made the staff presentation. This property was annexed and zoned for industrial use in 1984. The Planning and Zoning Commission unanimously recommended approval of the proposed zoning change at its November 2, 2005, meeting with the following conditions: (1) that the City Council approve the amended Future Land Use Map designating this property for commercial use, and (2) that the City Council adopt the proposed C-1a (General Commercial – Limited) zoning district. Although the subject property is currently zoned LI (Light Industrial) and is designated for industrial uses on the Future Land Use Map contained in the General Plan, new developments in northeast Round Rock have altered the market along Chandler Road such that commercial uses are now appropriate at this location. This shift from industrial uses to commercial uses is reflected in the proposed amendment to the General Plan Future Land Use Map. Because of the location of the property and the market it is likely to attract, staff agrees with the applicant that the new C-1a (General Commercial – Limited) zoning district is the right commercial district for the tract.

Mayor Pro-tem McGraw opened the public hearing. There being no testimony the public hearing was closed.

CONSENT AGENDA:

The following items were considered routine by the City Council and were enacted by one motion. There was no separate discussion on any of these items and no items were pulled from the consent agenda.

\*8.A.1. Consider an ordinance authorizing the placement of stop signs at various intersections in the Eagle Ridge Subdivision, Section 14, Phases 1, 2, 3, 4 & 5. (First Reading)

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\*8.A.2. Consider an ordinance authorizing the placement of stop signs at various intersections in the Shadow Pointe Subdivision, Phases 1 & 2. (First Reading)

\*9.D.1. Consider a resolution authorizing the Mayor to execute Supplemental Agreement No. 4 to the Agreement for Engineering Services with HDR Engineering, Inc. for the final design of Red Bud Lane from US 79 to CR 123.

\*9.E.1. Consider a resolution authorizing the Mayor to execute a grant agreement with the Texas State Library & Archives Commission for a Texas Responds Grant.

MOTION: Councilmember Rhode moved to approve all the items listed in the consent agenda. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

ACTION: The motion carried unanimously.

\*8.A.1. Consider an ordinance authorizing the placement of stop signs at various intersections in the Eagle Ridge Subdivision, Section 14, Phases 1, 2, 3, 4 & 5. (First Reading)

This item was approved under the consent agenda. Stop signs will be placed at the following locations. On Rams Horn Way at Eagles Nest Street, on Bull Horn Loop at Rams Horn Way, on Longhorn Trail at Eagles Nest Street (West intersection), on Longhorn Trail at Eagles Nest Street (East intersection), on Short Horn Lane at Bull Horn Loop, on Short Horn Cove at Short Horn Lane, on Short Horn Lane at Red Stage Place, on Red Stage Place at Rams Horn Way, on Longhorn Trail at Rams Horn Way, on Rams Horn Way at Longhorn Trail.

ORDINANCE NO. \_\_\_\_\_

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AN ORDINANCE AMENDING THE TRAFFIC CODE BY DESIGNATING THE FOLLOWING INTERSECTIONS IN THE EAGLE RIDGE SUBDIVISION, SECTION 14, PHASES 1-5 AS STOP INTERSECTIONS: RAMS HORN WAY AT EAGLES NEST STREET, BULL HORN LOOP AT RAMS HORN WAY, LONGHORN TRAIL AT EAGLES NEST STREET, SHORT HORN LANE AT BULL HORN LOOP, SHORT HORN COVE AT SHORT HORN LANE, SHORT HORN LANE AT RED STAGE PLACE, RED STAGE PLACE AT RAMS HORN WAY, LONGHORN TRAIL AT RAMS HORN WAY, AND RAMS HORN WAY AT LONGHORN TRAIL; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

\*8.A.2. Consider an ordinance authorizing the placement of stop signs at various intersections in the Shadow Pointe Subdivision, Phases 1 & 2. (First Reading) This item was approved under the consent agenda. Stop signs will be placed at the following locations. On Henna Way at Double Creek Drive, on Henna Way at Clary Sage Loop, on Irish Moss Trail at Clary Sage Loop (northbound and southbound), on Clary Sage Loop at Clary Sage Loop, on Clary Sage Loop at Sundrop Place.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE TRAFFIC CODE BY DESIGNATING THE FOLLOWING INTERSECTIONS IN THE SHADOW POINTE SUBDIVISION, PHASES 1 & 2 AS STOP INTERSECTIONS: HENNA WAY AT DOUBLE CREEK DRIVE, HENNA WAY AT CLARY SAGE LOOP, IRISH MOSS TRAIL AT CLARY SAGE LOOP, CLARY SAGE LOOP AT CLARY SAGE LOOP, AND CLARY SAGE LOOP AT SUNDROP PLACE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

8.B.1. Consider an ordinance annexing 5.2993 acres of land out of the ASA Thomas Survey. (The Fellowship Church at Forest Creek) (First Reading) Jim Stendebach, Planning Director made the staff presentation. This 5.2993-acre tract of land is located at the southwest corner of Gattis School Road and Westview Drive and part of the Westview Addition Subdivision. The Fellowship Church at Forest Creek is on this site. In order for this tract to receive City water services it is required that the tract be annexed into the city limits.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ROUND ROCK, TEXAS, TO WIT: 5.2993 ACRES OF LAND, OUT OF THE ASA THOMAS SURVEY, ABSTRACT NO. 609, IN WILLIAMSON COUNTY; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE

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AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to adopt the ordinance. Councilmember Clifford seconded the motion.

VOTE:           Ayes:           Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
                  Nays:           None  
                  Absent:       Mayor Maxwell

ACTION: The motion carried unanimously.

MOTION: Councilmember Honeycutt moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present. Councilmember Clifford seconded the motion.

VOTE:           Ayes:           Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
                  Nays:           None  
                  Absent:       Mayor Maxwell

ACTION: The motion carried unanimously.

8.B.2. Consider an ordinance adopting original zoning of District PF-1 (Public Facilities-Low Intensity) on 5.2993 acres of land. (The Fellowship Church at Forest Creek) (First Reading) Jim

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Stendebach, Planning Director made the staff presentation for this item during the public hearing.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.401(2)(a), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ZONE 5.2993 ACRES OF LAND, OUT OF THE ASA THOMAS SURVEY, ABSTRACT NO. 609, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, AS DISTRICT PF-1 (PUBLIC FACILITIES-LOW INTENSITY).

MOTION: Councilmember Rhode moved to adopt the ordinance. Councilmember Clifford seconded the motion.

VOTE:           Ayes:           Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
                  Nays:           None  
                  Absent:       Mayor Maxwell

ACTION: The motion carried unanimously.

MOTION: Councilmember Salinas moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present. Councilmember Clifford seconded the motion.

VOTE:           Ayes:           Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
                  Nays:           None  
                  Absent:       Mayor Maxwell

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ACTION: The motion carried unanimously.

8.B.3. Consider an ordinance amending the Northeast Plan to include Phase 2. (First Reading) Shannon Burk, Senior Planner made the staff presentation for this item during the public hearing.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE "NORTHEAST PLAN" FOR THE CITY OF ROUND ROCK ADOPTED AUGUST 25, 2005, ORDINANCE NO. G-05-08-25-12C2 TO ADD PHASE TWO OF THE "NORTHEAST PLAN"; TO PROVIDE A GUIDE FOR DETERMINING THE APPROPRIATE ZONING DESIGNATIONS IN NORTHEASTERN ROUND ROCK; AND PROVIDING FOR A SAVINGS CLAUSE; AND REPEALING ALL CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Rhode moved to adopt the ordinance. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

ACTION: The motion carried unanimously.

MOTION: Councilmember Salinas moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode



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Nays: None

Absent: Mayor Maxwell

ACTION: The motion carried unanimously.

8.B.4. Consider an ordinance amending the General Plan to modify the Future Land Use Map with regard to the area north of Old Settlers Boulevard, west of FM 1460, south of the City of Round Rock's extraterritorial jurisdiction boundary, and east of IH-35. (First Reading) Shannon Burk, Senior Planner made the staff presentation for this item during the public hearing.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE GENERAL PLAN OF THE CITY OF ROUND ROCK, TEXAS, CODIFIED UNDER SECTION 11.107, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, TO AMEND THE FUTURE LAND USE MAP; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to adopt the ordinance. Councilmember Salinas seconded the motion.

VOTE: Ayes: Councilmember Honeycutt  
Mayor Pro-tem McGraw  
Councilmember Clifford  
Councilmember Salinas  
Councilmember Rhode

Nays: None

Absent: Mayor Maxwell

ACTION: The motion carried unanimously.

MOTION: Councilmember Rhode moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt  
Mayor Pro-tem McGraw

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Councilmember Clifford

Councilmember Salinas

Councilmember Rhode

Nays: None

Absent: Mayor Maxwell

ACTION: The motion carried unanimously.

8.B.5. Consider an ordinance amending Chapter 11, Zoning, of the City of Round Rock

Code of Ordinances to add a C-1a (General Commercial-Limited) District. (First Reading)

Shannon Burk, Senior Planner made the staff presentation for this item during the public hearing.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 11, SECTIONS 11.401, 11.423 AND APPENDIX A, AND ADDING SECTION 11.409.1 CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, TO ESTABLISH THE C-1a (GENERAL COMMERCIAL - LIMITED) ZONING DISTRICT; TO AMEND THE ESTABLISHED ZONING DISTRICTS; TO AMEND THE STANDARDS FOR AUTO SERVICE FACILITIES, CAR WASH, EATING ESTABLISHMENTS, MEDICAL OFFICE, PASSENGER TERMINAL, RETAIL SALES AND SERVICE, SINGLE-FAMILY ATTACHED, SINGLE-FAMILY DETACHED, UPPER STORY RESIDENTIAL, AND VEHICLE SALES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Rhode moved to adopt the ordinance. Councilmember Salinas seconded the motion.

VOTE: Ayes: Councilmember Honeycutt

Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Salinas

Councilmember Rhode

Nays: None

Absent: Mayor Maxwell

ACTION: The motion carried unanimously.

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MOTION: Councilmember Honeycutt moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present. Councilmember Salinas seconded the motion.

VOTE:           Ayes:           Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
                  Nays:           None  
                  Absent:       Mayor Maxwell

ACTION: The motion carried unanimously.

8.B.6. Consider an ordinance adopting original zoning of District PUD (Planned Unit Development) No. 66 on 3.165 acres of land, more or less, described as Lot 1, Block A, Section 1, Round Rock Express Subdivision. (First Reading) Shannon Burk, Senior Planner made the staff presentation for this item during the public hearing.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.305(2), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ZONE 3.165 ACRES OF LAND, MORE OR LESS, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT 297, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS PLANNED UNIT DEVELOPMENT (PUD) NO. 66.

MOTION: Councilmember Honeycutt moved to adopt the ordinance. Councilmember Salinas seconded the motion.

VOTE:           Ayes:           Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas

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Councilmember Rhode

Nays: None

Absent: Mayor Maxwell

ACTION: The motion carried unanimously.

MOTION: Councilmember Rhode moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present. Councilmember Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt

Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Salinas

Councilmember Rhode

Nays: None

Absent: Mayor Maxwell

ACTION: The motion carried unanimously.

8.B.7. Consider an ordinance rezoning 9.09 acres of land, more or less, out of the Ephraim Evans Survey from District LI (Light Industrial) to District C-1a (General Commercial-Limited). (First Reading) (Julian Marie Roy Trust) Jim Stendebach, Planning Director made the staff presentation for this item during the public hearing.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.401(2)(a), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 9.09 ACRES OF LAND, OUT OF THE EPHRAIM EVANS SURVEY, ABSTRACT NO. 212, KNOWN AS LOTS 1A, 1B, 1C, AND 1D OF THE AMENDED RESUBDIVISION OF LOT 1, BLOCK B, OAKMONT CENTRE, SECTION 3, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM DISTRICT LI (LIGHT INDUSTRIAL) TO DISTRICT C-1a (GENERAL COMMERCIAL-LIMITED).

MOTION: Councilmember Rhode moved to adopt the ordinance. Councilmember Salinas seconded the motion.

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VOTE:       Ayes:       Councilmember Honeycutt  
                                  Mayor Pro-tem McGraw  
                                  Councilmember Clifford  
                                  Councilmember Salinas  
                                  Councilmember Rhode  
                  Nays:       None  
                  Absent:     Mayor Maxwell

ACTION: The motion carried unanimously.

MOTION: Councilmember Salinas moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present. Councilmember Rhode seconded the motion.

VOTE:       Ayes:       Councilmember Honeycutt  
                                  Mayor Pro-tem McGraw  
                                  Councilmember Clifford  
                                  Councilmember Salinas  
                                  Councilmember Rhode  
                  Nays:       None  
                  Absent:     Mayor Maxwell

ACTION: The motion carried unanimously.

RESOLUTIONS:

9.A.1. Consider a resolution approving the 2005-2006 Operating Budget for the Round Rock Transportation System Development Corporation. Cindy Demers, Finance Director made the staff presentation. This budget is funded from a ½% sales tax established for the purposes of providing transportation improvements. The Corporation oversees those improvements with further approval of the City Council. This budget will provide funding for debt service and

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administrative, financial, legal and engineering services to the Transportation System Development Corporation.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the Round Rock Transportation System Development Corporation has submitted a proposed operating budget for fiscal year 2005-2006, and

WHEREAS, the City Council wishes to approve said proposal, Now Therefore  
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the operating budget submitted by and for the Round Rock Transportation System Development Corporation for fiscal year 2005-2006, attached hereto as Exhibit "A", is hereby approved.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1st day of December 2005.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt

Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Salinas

Councilmember Rhode

Nays: None

Absent: Mayor Maxwell

ACTION: The motion carried unanimously.

9.B.1. Consider a resolution authorizing the Mayor to execute settlement documents with Martin and Pamela Cirkel for the purchase of right-of-way for the A.W. Grimes Boulevard Project.

This item was addressed earlier in the meeting.

9.B.2. Consider a resolution authorizing the Mayor to approve the payment of a negotiated self-move request for A.T. Masonry, Parcel 10 of the US 79 Widening Project. Steve Sheets, City Attorney made the staff presentation. The Uniform Act allows the cost of relocating

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personal property to be recovered as part of the acquisition of right-of-way. Estimates from contractors have been collected and the lowest bid has been recommended for payment. The relocation claims are for Parcel 10 of the US 79 improvements project.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock, is in the process of acquiring 1.051 acres of land from Aaron Thomison and Brenda Thomison through condemnation for the Highway 79 expansion project, and

WHEREAS, at the time of this purchase A.T. Masonry was a tenant legally upon the property to be purchased and the remaining property and was displaced because of this acquisition, and

WHEREAS, pursuant to the provisions of Section 24 of the Code of Federal Regulations (Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, a/k/a the "Uniform Act") the City of Round Rock has agreed to reimburse A.T. Masonry for certain reasonable and necessary relocation expenses as a result of its displacement because of this acquisition, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor or his designated agent is hereby authorized to approve a negotiated self move request authorizing reimbursement of up to a maximum of \$120,400 for reasonable and necessary relocation and moving expenses associated with the moving of the personal property of A.T. Masonry located on property along Highway 79, a copy of which is attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED

That the agreed amount of relocation expenses shall be paid to A.T. Masonry upon its completion of the relocation and vacating of the premises described herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1st day of December 2005.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

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ACTION: The motion carried unanimously.

9.C.1. Consider a resolution authorizing the Mayor to execute a Development Agreement with Continental Homes of Texas, L.P. for the construction of channel improvements and the implementation of a mitigation plan for the Dry Branch (South Creek Channel) Improvements Project. Tom Word, Chief of Public Works Operations made the staff presentation. The Dry Branch Project will consist of widening approximately 4,000 linear feet of natural stream channel, construction of a low flow channel in approximately 2,540 linear feet of previously channelized stream channel, and implementation of a mitigation plan concurrently with construction and operation of the Dry Branch project to offset adverse impacts to waters of the U.S. This project includes the construction of approximately 6,540 linear feet of Dry Branch tributary to correct problems of bed scour and bank stability, as well as to address concerns of public safety associated with flooding. The Dry Branch Project will impact 2.24 acres of waters so the City will secure a permit from the Corps of Engineers who has jurisdiction over the Dry Branch project. The City is constructing the channel modifications on approximately 4,160 linear feet and D.R. Horton, the developer of the Turtle Creek subdivision, is constructing channel modifications on approximately 2,380 linear feet of the channel. Because the City is the only applicant for the permit, this Developer Agreement with D.R. Horton is to ensure the permitted activities for this project are completed by both parties in a timely manner. The City discussed the proposed project with several residents in the South Creek subdivision. A neighborhood meeting will be conducted prior to the commencement of construction for residents whose property is adjacent to the Dry Branch.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock ("City") is undertaking the construction of approximately 4,160 linear feet of Dry Branch tributary channel improvements to correct problems of bed scour and bank stability, as well as to address concerns of public safety associated with flooding; and

WHEREAS, Continental Homes of Texas, L.P. d/b/a D.R. Horton ("Developer") is also constructing channel modifications on approximately 2,380 linear feet of the same channel for a total of 6,540 linear feet of improvements for the Dry Branch Project ("Project"); and



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WHEREAS, this Project will impact 2.24 acres of waters of the United States and, as a result, the City has undertaken to secure a Section 404 permit ("Permit") from the Corps of Engineers having jurisdiction over the Project; and

WHEREAS, the City is the only applicant for the Permit and therefore the City needs to ensure that all work performed on the Project is completed timely and under the terms and conditions set forth in the Permit; and

WHEREAS, the Developer desires to enter into a Development Agreement to assure that the Project is constructed in a timely manner and in accordance with the terms and conditions set forth in the Permit, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Development Agreement with Continental Homes of Texas, L.P., a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1<sup>st</sup> day of December 2005.

MOTION: Councilmember Salinas moved to approve the resolution. Councilmember

Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt

Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Salinas

Councilmember Rhode

Nays: None

Absent: Mayor Maxwell

ACTION: The motion carried unanimously.

\*9.D.1. Consider a resolution authorizing the Mayor to execute Supplemental Agreement

No. 4 to the Agreement for Engineering Services with HDR Engineering, Inc. for the final design of Red Bud Lane from US 79 to CR 123. This item was approved under the consent agenda.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has previously entered into an Agreement for Engineering Services ("Agreement") with HDR Engineering, Inc. for the final design of Red Bud Lane from US 79 to CR 123, and

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WHEREAS, HDR Engineering, Inc. has submitted Supplemental Agreement No. 4 to the Agreement to modify the provisions for the scope of services, and

WHEREAS, the City Council desires to enter into said Supplemental Agreement No. 4 with HDR Engineering, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Agreement No. 4 to the Agreement with HDR Engineering, Inc., a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1st day of December, 2005.

\*9.E.1. Consider a resolution authorizing the Mayor to execute a grant agreement with the Texas State Library & Archives Commission for a Texas Responds Grant. This item was approved under the consent agenda.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the Texas State Library & Archives Commission has grant funds available through the Texas Responds Grant, and

WHEREAS, the City Council wishes to enter into a Texas Responds Grant Agreement for the available grant funds for three laptops for the library, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Texas Responds Grant Agreement, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1st day of December, 2005.

9.F.1. Consider a resolution authorizing the Mayor to execute Supplemental Contract No. 1 to the Contract for Engineering Services with Camp Dresser & McKee, Inc. for the Westinghouse Road Tank Improvements. Tom Clark, Director of Utilities made the staff presentation. The Westinghouse Road 100,000 gallon Water Tank has settled causing the tank to lean. The initial contract with CDM was to design a correction for the tanks foundation problem. These wells and tank site were built in 1971 and the well pumps and controls are in need of major rehabilitation to continue the reliable operation of the site. In addition to the rehabilitation, the improvements will

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increase the capacity of the site by approximately 144,000 gallons per day. A capacity evaluation of the site was performed by R.W. Harden Associates under separate agreement showing the water capacity of the site can be increased with rehabilitation of the existing pumps and related equipment. Additionally, the tank is scheduled to be sandblasted and painted under the Utility CIP schedule. This Supplemental Contract will include the design of tank painting, structural repairs to the tank, and design of two new well pumps, site piping upgrades, electrical, and instrumentation improvements to rehabilitate the site at a cost of \$82,100.00.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has previously entered into an Agreement for Engineering Services with Camp Dresser and McKee, Inc. for the design of the Westinghouse Road Tank Improvements, and

WHEREAS, Camp Dresser and McKee, Inc. has submitted Supplemental Agreement No. 1 to the Agreement for Engineering Services for a change in the scope of services, and

WHEREAS, the City Council desires to enter into said Supplemental Agreement No. 1 with Camp Dresser and McKee, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Agreement No. 1 to the Agreement for Engineering Services with Camp Dresser and McKee, Inc., a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1st day of December, 2005.

MOTION: Councilmember Clifford moved to approve the resolution. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
	Nays:	None
	Absent:	Mayor Maxwell

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**ACTION:** The motion carried unanimously.

9.F.2. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with Carter & Burgess, Inc. for the design of the East Water Transmission Line, Phase 3B-1 Improvements. Tom Clark, Director of Utilities made the staff presentation. The East Water Transmission Line, Phase 3B-1 Improvements will construct 16,900 feet of 36" Water Line from FM 1460 east along CR 112 to CR 117, then South on CR 117 to Kiphen Road. This line is needed to deliver Water to Paloma MUD and to meet future water demands in the east and southeast areas of Round Rock. The City received Request for Proposals from 13 engineering firms. After thorough review by a 4-person committee, it was recommended that Carter & Burgess be awarded this contract. The total estimated cost of the project is \$4,971,881.00 and Paloma MUD will pay \$491,191.90.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock desires to retain engineering services for the design of the East Water Transmission Line, Phase 3B-1 Improvements, and

WHEREAS, Carter & Burgess, Inc. has submitted a Contract for Engineering Services to provide said services, and

WHEREAS, the City Council desires to enter into said contract with Carter & Burgess, Inc.,  
Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Contract for Engineering Services with Carter & Burgess, Inc. for the design of the East Water Transmission Line, Phase 3B-1 Improvements, a copy of said contract being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1st day of December, 2005.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Rhode seconded the motion.

VOTE:            Ayes:            Councilmember Honeycutt  
                                 Mayor Pro-tem McGraw  
                                 Councilmember Clifford

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Councilmember Salinas

Councilmember Rhode

Nays: None

Absent: Mayor Maxwell

ACTION: The motion carried unanimously.

9.F.3. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with HDR Engineering, Inc. for the design of the East Water Transmission Line, Phase 3B-2 Improvements. Tom Clark, Director of Utilities made the staff presentation. The East Water Transmission Line, Phase 3B-2 Improvements will construct approximately 5,400 feet of 36" Water Line along County Road 122 from Kiphen Road to Highway 79. This water line is needed to meet current and future water demands in the east and southeast areas of the City and is a part of the Water Distribution Master Plan dated August 2004. Total estimated cost of the project is \$3,142,478.00. The City received Request for Proposals from 13 engineering firms and after a thorough review of the proposals by the committee it was recommended that HDR Engineering be awarded the contract for this project at the cost of \$299,338.00.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock desires to retain engineering services for the design of the East Water Transmission Line, Phase 3B-2 Improvements, and

WHEREAS, HDR Engineering, Inc. has submitted a Contract for Engineering Services to provide said services, and

WHEREAS, the City Council desires to enter into said contract with HDR Engineering, Inc.,  
Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Contract for Engineering Services with HDR Engineering, Inc. for the design of the East Water Transmission Line, Phase 3B-2 Improvements, a copy of said contract being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 1st day of December 2005.

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MOTION: Councilmember Salinas moved to approve the resolution. Councilmember Honeycutt seconded the motion.

VOTE:           Ayes:           Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
                  Nays:           None  
                  Absent:       Mayor Maxwell

ACTION: The motion carried unanimously.

9.F.4. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with HDR Engineering, Inc. for the Preliminary Engineering Report for the Cedar Park/Round Rock/LCRA Regional Water System Improvements. This item was addressed earlier in the meeting.

9.F.5. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement Regarding the Design of New Hope Regional Waterline with the City of Cedar Park and the Lower Colorado River Authority. This item was addressed earlier in the meeting.

COUNCIL COMMENTS: None

EXECUTIVE SESSION:

11.A. Executive Session as authorized by §551.072 Government Code, related to the settlement agreement with Martin and Pamela Cirkel for the purchase of right-of-way for the A.W. Grimes Boulevard Project. This item was addressed earlier in the meeting.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:10 p.m.

Respectfully Submitted,

Christine R. Martinez, City Secretary